

1202
SEP 23 1999

COMMUNITIES FOR A
BETTER
ENVIRONMENT



September 20, 1999

Lester Snow, Executive Director
CALFED Bay-Delta Program
1416 Ninth Street, Suite 115
Sacramento, CA 95814

Re: **CALFED Draft EIS/EIR (State Clearinghouse #96032083) – Comments on Environmental Justice Issues Related to Water Quality and Hydrodynamics, submitted on behalf of Communities for a Better Environment (CBE)**

Dear Mr. Snow:

Thank you for considering CBE's comments on this major project centered around whether to take more water from the San Francisco Bay/Delta, and raising water quality, food resources, industrial waste and human health issues that touch all Californians.

The Draft EIS/EIR does not identify low income communities and communities of color affected by the project's acknowledged potential for significant environmental impacts due to increased urban runoff pollution, decreased bay water circulation, and decreased drinking water quality. It does not assess whether significant environmental impacts on these communities are disproportionate impacts, identify and develop a reasonably broad range of alternatives including a truly environmentally superior alternative, develop specific actions for mitigating impacts, or assess its own alternatives adequately. As a consequence, the Draft does not provide adequate information to assess whether significant environmental impacts of the project might be avoided by options an adequate assessment would reveal.

Adoption of this Draft would result in at least two major violations of environmental justice principles and guidance related to water quality and flow. First, the Draft does not assess or identify known significant and disproportionate adverse environmental impacts on Bay/Delta anglers of color due to ongoing toxic pollution. The Draft admits that the project would increase pollution of urban runoff and reduce bay water circulation, and that these significant impacts on bay water quality would not be mitigated fully. Increased pollutant inputs to the bay and decreased bay water circulation will exert cumulative impacts, interacting synergistically to increase bioaccumulation of toxic pollutants.

By increasing water diversions, thus increasing water availability and decreasing its cost, the project will even hinder industrial pollution prevention, which goes hand in hand with reducing the ongoing waste of water by many industrial plants. Indeed, the Draft overlooks an opportunity to free up significant amounts of water while preventing angler exposure to more toxics.

These cumulative project impacts are disproportionately high and adverse for communities of color which comprise the majority of Bay/Delta anglers. Though the Draft fails to mention it, the U.S. EPA has found that toxic health threats to Bay/Delta anglers are a 'high priority' because of dioxin in Bay/Delta fish, and mercury bioaccumulation in this food resource is also a high priority. Other toxic chemicals reach levels in the fish that threaten anglers' health as well.

Second, the Draft does not assess potentially disproportionate significant environmental impacts on low income communities drinking water drawn from Delta water project pumps. The Draft describes a potential for significant impacts of increasing bromine levels in water drawn from Delta pumps because toxic trihalomethanes (THMs) and bromate form when this water is disinfected for drinking water use. However, it does not assess the potential for disproportionate impacts on low income communities with increased THM formation in older water systems and

500 Howard Street, Suite 506 • San Francisco, CA 94105 • (415) 243-8373

In Southern California: 605 W. Olympic Blvd., Suite 850 • Los Angeles, CA 90015 • (213) 486-5114

Lester Snow
September 20, 1999
page two

less affordable access to bottled or home-treated water. It does not discuss *requiring* treatment for these toxics in the drinking water plants, or replacement of aging public water pipes in our communities – the two areas where these disinfection by-products are formed. Nor does it adequately address alternatives to taking drinking water tainted with bromide, which forms these pollutants, from the Delta. This is an important oversight because all project alternatives (even an intake at Hood) may suck more bromine into drinking water in the future.

The increases in global temperature and sea level that have already occurred, and the changes in timing of rain and snow melt that occurred in California's recent drought, and again in our more recent wet years, are all consistent with the effects of global warming. These effects are projected to worsen in the future, pushing ocean salts further into the Delta at times when there is less river flow to counter the rising tides. Increased bromide, which forms the contaminants, is likely at all project water intake locations in the future. Though the Draft ducks the issue, the project might lock in water development with significantly increased long-term drinking water contamination affecting millions in low income communities with less access to alternative drinking water supplies. Thus, this second environmental justice impact is also traceable to the project.

With respect to water quality issues affecting many hundreds of Bay/Delta anglers of color and potentially millions in low income communities drinking Delta water, the Draft is deficient due to gross lack of information, and adopting it without substantial revision would violate environmental justice principles and guidance.

We recommend that CALFED gather data on the issues we discuss and present them with appropriate analysis in a revised Draft EIS/EIR that allows full consideration of the best alternatives and mitigation for environmental health and justice.

Respectfully submitted,


Greg Karras
Senior Scientist

cc: Arlene Wong, Pacific Institute
Jenna Olsen, Environmental Water Caucus
Sara Flocks, United Farm Workers
Karleen Lloyd, People United for a Better Oakland
Joyce Lawrence, Coalition of Black Trade Unionists
Marguerite Young, Clean Water Action
Santos Gomez, California Rural Legal Assistance
John Rosenblum, Rosenblum Environmental Engineering
Henry Clark, West County Toxics Coalition
Michael Stanley Jones, Silicon Valley Toxics Coalition
Grant Davis, Bay Institute
Barry Nelson, Natural Resources Defense Council
Pat Ferraro, Silicon Valley Pollution Prevention Center

Enclosures: Detailed comments of CBE on the DEIS/DEIR
Attachment 1. Comments of John Rosenblum, Ph.D., on water use efficiency